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Attorney for Defendant

JOSE MAYO RODRIGUEZ

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE ENCARNACION MAYO RODRIGUEZ,
SYLVIA ZAMBRANO, YESENIA LOPEZ,
MARIA LUISA ESCAMILLA LOPEZ, JUAN
CHAVARRIA, JUAN RAMON LOPEZ,
NEREYDA ALVAREZ, PHILLIP ALLEN
BAILEY, and CHARLES JAMES
BILLINGSLEY,

Defendants.

Case No.: 2:19-cr-231 WBS

STIPULATION AND [PROPOSED] ORDER
CONTINUING STATUS CONFERENCE
AND EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

Date: July 27, 2020

Time: 9:00 a.m.

Court: Hon. William B. Shubb

This is a case charging conspiracy to distribute methamphetamine and heroin. It is presently set for status conference involving all nine defendants on July 27, 2020. The government has provided voluminous discovery consisting of approximately 1300 pages of material. A supplemental discovery production to include hours of video and audio recordings is

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1 anticipated by the parties.

2 Many of the events at issue in the case occurred in San Joaquin County, with additional
3 matters occurring in Southern California and the San Francisco Bay Area. Defense investigation
4 into the charged events can fairly be characterized as state-wide in scope. Additional time is
5 required for defense investigation into matters charged in the Indictment.
6

7 The parties to this action, Plaintiff United States of America by and through Assistant
8 United States Attorney David Spencer, and Attorney Todd Leras on behalf of Defendant Jose
9 Mayo Rodriguez, Attorney Christopher Cosca on behalf of Defendant Sylvia Zambrano,
10 Attorney Brian Andritch on behalf of Defendant Yesenia Lopez, Attorney Dina Santos on behalf
11 of Defendant Maria Escamilla Lopez, Attorney Armando Villapueda on behalf of Defendant
12 Juan Chavarria, Attorney Philip Cozens on behalf of Defendant Juan Lopez, Attorney David
13 Garland on behalf of Defendant Nereyda Alvarez, Attorney Alin Cintean on behalf of Defendant
14 Phillip Bailey, and Attorney Johnny Griffin, III, on behalf of Defendant Charles Billingsley,
15 stipulate as follows:
16
17

- 18 1. By this stipulation, Defendants now move to vacate the status conference presently
19 set for July 27, 2020. The parties request to continue the status conference to October
20 19, 2020, at 9:00 a.m., and to exclude time between July 27, 2020 and October 19,
21 2020, inclusive, under Local Code T-4. The United States does not oppose this
22 request.
23
- 24 2. Based on the above-stated facts regarding the volume of discovery and the time
25 required for defense investigation, the parties jointly request that the Court find that
26 the ends of justice served by continuing the case as requested outweigh the best
27

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1 interest of the public and the Defendants in a trial within the time prescribed by the
2 Speedy Trial Act.

- 3 3. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et*
4 *seq.*, within which trial must commence, the time period of July 27, 2020 to
5 October 19, 2020, inclusive, is deemed excludable pursuant to 18 U.S.C. §
6 3161(h)(7)(A), and (B) (iv) [Local Code T-4] because it results from a continuance
7 granted by the Court at Defendants' request on the basis that the ends of justice
8 served by taking such action outweigh the best interest of the public and the
9 Defendants in a speedy trial.
10
11 4. Nothing in this stipulation and order shall preclude a finding that other provisions of
12 the Speedy Trial Act dictate that additional time periods are excludable from the
13 period within which a trial must commence.
14

15 Assistant U.S. Attorney David Spencer and all defense counsel have reviewed this
16 proposed order and authorized Todd Leras to sign it via email on their behalf.
17

18 DATED: July 21, 2020

19 By /s/ Todd D. Leras for
20 DAVID SPENCER
Assistant United States Attorney

21 DATED: July 21, 2020

22 By /s/ Todd D. Leras
23 TODD D. LERAS
Attorney for Defendant
JOSE MAYO RODRIGUEZ

24 DATED: July 21, 2020

25 By /s/ Todd D. Leras for
26 CHRISTOPHER R. COSCA
Attorney for Defendant
SYLVIA ZAMBRANO
27

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1 DATED: July 21, 2020

2 By /s/ Todd D. Leras for
3 BRIAN ANDRITCH
4 Attorney for Defendant
YESENIA LOPEZ

5 DATED: July 21, 2020

6 By /s/ Todd D. Leras for
7 DINA L. SANTOS
8 Attorney for Defendant
9 MARIA ESCAMILLA LOPEZ

10 DATED: July 21, 2020

11 By /s/ Todd D. Leras for
12 ARMANDO VILLAPUEDA
13 Attorney for Defendant
14 JUAN CHAVARRIA

15 DATED: July 21, 2020

16 By /s/ Todd D. Leras for
17 PHILIP COZENS
18 Attorney for Defendant
19 JUAN RAMON LOPEZ

20 DATED: July 21, 2020

21 By /s/ Todd D. Leras for
22 DAVID GARLAND
23 Attorney for Defendant
24 NEREYDA ALVAREZ

25 DATED: July 21, 2020

26 By /s/ Todd D. Leras for
27 ALIN CINTAN
28 Attorney for Defendant
PHILLIP BAILEY

29 DATED: July 21, 2020


30 By /s/ Todd D. Leras for
31 JOHNNY GRIFFIN, III
32 Attorney for Defendant
33 CHARLES BILLINGSLEY

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ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that the status conference in this matter, scheduled for July 27, 2020, is vacated. A new status conference is scheduled for October 19, 2020, at 9:00 a.m. The Court further finds, based on the representations of the parties and Defendants' request, that the ends of justice served by granting the continuance outweigh the best interests of the public and the Defendants in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from July 27, 2020, up to and including October 19, 2020.

Dated: July 22, 2020



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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CONFERENCE